IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929

Crl.Rev.Pet.No. 3867 of 2007()

CRA NO. 924/2005 of FIRST ADDL. SESSIONS COURT, THRISSUR.
S.T. NO. 569/2004 of ADDL. MUNSIFF AND JUDICIAL FIRST CLASS MAGISTRATE COURT, IRINJALAKUDA.

REVN. PETITIONER:

SABU, S/O. ANANDAN, VALIYAPARAMBIL HOUSE,
PUTHENVELIKKARA, N.PARAVUR, ERNAKULAM DISTRICT.

BY ADV. SRI.J.JULIAN XAVIER
SRI. FIROZ K. ROBBIN

RESPONDENTS:
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1. E.A. THOMAS, S/O. ANTONY, ERINJERY HOUSE,
THUMBOOR P.O., KOTTANELLUR VILLAGE,
MUKUNDAPURAM TALUK.

2. STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.S.SUDHISH KUMAR
SRI. K.S. SIVAKUMAR, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 29/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 3867 of 2007

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Dated this the 29th day of October, 2007

ORDER

The accused in ST.No.569/2004 on the file of the Additional Munsiff and Judicial First Class Magistrate, Irinjalakuda for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 11373 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. The revision petitioner/accused shall be released from custody forthwith unless his continued detention is found necessary in connection with any other case against him.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,JUDGE

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